

Meeting of the Sandy Springs City Council was held on June 21, 2022 at 6:00 PM, Mayor Rusty Paul presiding.

I. Call to Order

Mayor Rusty Paul called the meeting to order at 6:00 p.m.

II. Roll Call and General Announcements

Members Present: Mayor Rusty Paul, Councilmember John Paulson, Councilmember Melody Kelley, Councilmember Melissa Mular, Councilmember Jody Reichel, Councilmember Tibby DeJulio

Members Absent: Councilmember Andy Bauman

III. Pledge of Allegiance

Mayor Rusty Paul led the Pledge of Allegiance.

IV. Public Comment

There was no public comment.

V. Approval of Meeting Agenda

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melody Kelley, to approve the meeting agenda. The motion carried by unanimous vote.

VI. Consent Agenda

Motion and vote. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melissa Mular, to approve the consent agenda. The motion carried by unanimous vote.

- A. **2022-150** Meeting Minutes
June 7, 2022 Work Session
June 7, 2022 City Council Meeting
- B. **2022-151** Request for Mayor and City Council Consideration of Acceptance of a Permanent Drainage Easement and Temporary Construction Easement on Property Located in Land Lot 342 of the 6th District Known as 3265 Spalding Drive, Sandy Springs, Georgia, Parcel No. 06-0342-0002-014-3; Spalding Drive Stormwater Project

Resolution No. 2022-06-70

- C. **2022-152** Request for Mayor and City Council Consideration to Authorize Additional Scope and Compensation to Signarama for Wayfinding Signage throughout the City of Sandy Springs and Authorizing the City Manager to Execute Appropriate Documentation

Resolution No. 2022-06-71

- D. **2022-153** Request for Mayor and City Council Consideration to Approve the City of Sandy Springs Pay Plan and Job Classification Schedule

Resolution No. 2022-06-72

VII. Presentations

There were no presentations.

VIII. Public Hearing

- A. **2022-154** Second Public Hearing on FY 2023 Budget and Adoption

There being no public comment, **Mayor Rusty Paul** closed the public hearing.

Motion and Vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to approve the FY 2023 Budget. The motion carried by unanimous vote.

Ordinance No. 2022-06-04

- B. **2022-155** Request for Mayor and City Council Consideration of Conditional Use Permit U21-0005 to Allow for a Currently Operating Private School Use in an Existing Building

Ginger Sottile, Community Development Director, presented Conditional Use Permit U21-0005, to allow for a currently operating private school use in and existing building. The applicant requests a Conditional Use Permit for a private (K-12) school, to allow existing private school operations to continue in the existing building. The school proposes only minor changes to the site, such as fire safety work, including sprinklers, and movement of certain site elements to comply with the Development Code, such as location and screening of the refuse area. The school proposes an initial enrollment of 120 students. The Development Code use standards allow for up to 150 students within any lot of up to 3 acres in the ON- zoning district.

Staff recommends Approval with Conditions of Conditional Use Permit U21-0005, request to allow for a currently operating private school use in an existing building subject to the following conditions:

That the Applicant make site upgrades to come into compliance with the various Development Code, Building, and Fire Code requirements to include:

- 1. That the site must meet and/or exceed all building and fire codes, as well as the requirements set forth by the City Engineer pertaining to site development and traffic/transportation requirements;*
- 2. That the applicant construct a Protected Neighborhood Transition Buffer (PNTB) wall, at a minimum of 6 feet in height for the length of the property at the rear (western) portion, at the back of the existing curb-making allowance for needed water egress*

- through access to stormwater facilities such as the existing concrete flume or otherwise;
and*
3. *That the applicant place the refuse area and provide screening as per the requirements in (Sec. 7.4.1.H.2.b. (Civic (School, Private (K-12)))) and Sec. 8.2.9.A.1. Screening (Service Areas).*

Mayor Rusty Paul opened the public hearing.

Support

1. Jordan Edwards, on behalf of the applicant - 4062 Peachtree Road, Atlanta, 30319

Opposition

1. Troy Shulman - 114 Silverwood Road NE, Sandy Springs, GA, 30342

Mayor Paul closed the public hearing.

Motion and second. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melody Kelley, to approve Conditional Use Permit U21-0005 to Allow for a currently Operating Private School Use in an Existing Building, subject to CUP standards.

Councilmember Jody Reichel stated the applicant advised they would add a recreation area. Is that area fenced?

Community Development Director Sottile replied the school standard requires the play area if fenced off. The area is currently fenced.

Councilmember Melody Kelley stated the three parcels share the parking lot. How does the City ensure the carpool queuing does not impact all the other parcels?

Community Development Director Sottile stated the applicant presents a plan to the City, and ensures the proposal works for all parties involved. There is one owner for all of the properties, and the owner understands the plans submitted is accepted. When the school buys the property, the two owners work it out.

Councilmember Reichel asked if there is a maximum number of children specified in the agreement.

Community Development Director Sottile replied yes. There is a maximum of 150 enrolled students, and currently there are 120 students.

Vote on the motion. The motion carried by unanimous vote.

Ordinance No. 2022-06-05

IX. New Business

- A. **2022-156** Request for Mayor and City Council Consideration of the Purchase of Sculptures As

Part of the ArtSS in the Open Competition and to Authorize the City Manager to Execute Documents to Effectuate the Same

Eden Freeman, City Manager, presented a request to purchase sculptures as part of the ArtSS in the Open Competition. ArtSS, a Georgia non-profit corporation, was incorporated in 2008, to enrich public art in Sandy Springs. This organization has worked successfully with the City to impact the community in several ways, including the creation of two competitions resulting in the placement of sculptures at the Sandy Springs Library and the creation of the Playable Art Park at Abernathy Greenway. As an extension of this "ArtSS in the Open" initiative, ArtSS worked with the City to develop the ArtSS in the Open Sculpture Competition at City Springs in 2018. Each year, volunteers donate hundreds of hours to find the very best sculptures from throughout the nation for exhibit on the City Green, with a guaranteed selection of at least one piece for purchase by the City to culminate each competition.

The selection process was rigorous, designed to solicit a response from highly talented artists. ArtSS first published a Call for Entries to artists throughout the U.S. The entries were reviewed by ArtSS and City staff to remove any pieces deemed not be appropriate for Sandy Springs based on content, or pieces that may present a danger or maintenance challenge. ArtSS then conducted a formal screening of entries. Using a 20-point voting system, entries were ranked by esthetic quality, innovation and creativity, and value for the dollar. Approximately the top half of entries were presented to a panel of jurors, including museum curators, gallery owners, and art educators, who voted using the same criteria of quality, creativity, and value. ArtSS then curated an exhibit of nine sculptures from among the top choices of the jurors and recommended the exhibition you have seen this year on City Green. While the sculptures were on exhibit, ArtSS conducted a detailed inspection of quality details, reviewed public input from the City's website, and worked with City staff to determine where each piece may best be placed in the City's parks and open spaces. The sculptures went through one final voting cycle in which the ArtSS Board selected the five sculptures now recommended to the City for purchase. The five pieces recommended for this year's competition, including *Walking Watcher Carrying the Children*, *One Arch*, *Comma*, *Windstone*, and *Minko*, consistently ranked high among all judges and via public input. City staff and ArtSS identified preliminary locations to place these pieces in the Marsh Creek Rain Garden at 100 Johnson Ferry Road, Sandy Springs, GA 30328.

The City allocated \$50,000 per year to support the Competition for purchase of outdoor sculptures appropriate to open and green spaces within Sandy Springs. The pieces recommended to City Council for purchase by the City from the 2021-2022 Competition include *Walking Watcher Carrying the Children*, *One Arch*, *Comma*, *Windstone*, and *Minko*, for a total purchase price of \$48,600. There are sufficient funds for purchase of the recommended pieces as budgeted for this project.

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Councilmember Jody Reichel, to approve the purchase of sculptures as part of the ArtSS in the Open Competition and to authorize the City Manager to execute documents to effectuate the same.

Councilmember Melody Kelley asked does the City like to keep the sculptures together.

City Manager Freeman replied yes, as they often have a stronger impact when they are together. Although, Staff and Arts Sandy Springs is looking at other locations to place future sculptures, such as Windsor Meadows Park and locations along the south side of Abernathy.

Councilmember John Paulson stated Crooked Creek Park may be a future location. Also, can Staff ensure that each sculpture will include a description?

City Manager Freeman stated each sculpture will have an interpretive piece for visitors to learn more about the sculptures.

Councilmember Reichel asked will the City purchase other pieces of art.

City Manager Freeman replied the ArtSS in the Open program is all sculptures. The call for proposals for the FY 2023 program has already been received.

Mayor Rusty Paul stated the City use to invite local artists to display paintings in the City Hall lobby, but stopped during the pandemic. The City should restart that program again soon.

City Manager Freeman replied it is on the to-do list for the upcoming fiscal year.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-06-73

- B. **2022-157** Request for Mayor and City Council Consideration of the FY 2023 Call Center Task Order to Faneuil, Inc.

Jason Fornicola, Communications Director, presented the FY 2023 Call Center Tasker Order (TO). On May 14, 2019, City Council approved a contract award (Contract) to Faneuil for call center services. The Contract called for service delivery over a five (5) year period, with the annual issuance of a new TO, assuming contract terms and conditions are complied with by Faneuil. There is a three percent (3%) annual escalator built into the Contract.

Three TOs have been issued pursuant to the Contract. The first TO in the not-to-exceed amount of \$549,498 was approved by Council on May 14, 2019 for the fiscal year beginning July 1, 2019. The second TO in the not-to-exceed amount of \$565,983 was approved by Council on June 2, 2020 for the fiscal year beginning July 1, 2020. The third TO in the not-to-exceed amount of \$582,964 was approved by Council on February 1, 2022 for the fiscal year beginning July 1, 2021. The attached TO represents the fourth TO to be issued under the Contract and covers the fiscal year beginning July 1, 2022. With the annual escalator, the not-to-exceed amount of the new TO is \$600,453.

Faneuil will be paid a not-to-exceed price of \$600,453 for providing call center services during FY2023 pursuant to the attached TO, which includes the annual three percent annual escalator.

Weekly statistics about the Call Center are reported in the City Manager's weekly report.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to approve the FY 2023 Call Center Task Order to Faneuil, Inc. The motion carried by unanimous vote.

Resolution No. 2022-06-74

- C. **2022-158** Request for Mayor and City Council Consideration of the Approval of Insurance Coverage for the City and to Authorize the City Manager to Execute Documentation Effectuating the Same

Meeting of the City of Sandy Springs City Council
Studio Theatre, Sandy Springs City Hall and Broadcast Via Live Webinar and Teleconference
June 21, 2022 at 6:00 PM
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Jennifer Emery, Human Resources Director, presented the insurance coverage renewal for the City of Sandy Springs. Staff, working with Partners Risk Services (PRS), have conducted market research as well as an extensive inventory of current City assets and liabilities to provide the attached proposal. Given the size of the city, the consolidation of insurance market providers, and the specific needs of the City, the number of available providers has been greatly reduced. The current state of cyber liability is also challenging. In light of these considerations, PRS has provided advice and guidance on obtaining the attached recommendations to provide necessary coverage in a cost-efficient manner. The City will experience a reduction in premiums of 0.5%.

The premiums described in Exhibit A of the attached Resolution will be funded through the City general fund as approved for FY2023.

City of Sandy Springs
Property Casualty Coverage Summary (2022-23)

COVERAGE	2021-22 EXPIRING	2022-23 EXPIRING DED PROPOSED	CARRIER	2021-22 EXPIRING LIMITS	2022-23 PROPOSED LIMITS	2021-22 PROPOSED DEDUCTIBLE	2022-23 PROPOSED DEDUCTIBLE
GENERAL LIABILITY	\$256,869	\$293,176	Argonaut Ins. Co. (A-14)	\$1,000,000/\$5,000,000	\$1,000,000/\$1,000,000	Each Event Limit/General Total Limit	\$10,000
Products & Completed Work	Included	Included	Argonaut Ins. Co. (A-14)	\$5,000,000	\$1,000,000	Total Limit	\$10,000
Personal Injury	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000	\$1,000,000	Each Person Limit	\$10,000
Advertising Injury	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000	\$1,000,000		\$10,000
Premises Damage	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000	\$1,000,000	Subject to All from independent Pysotechnician	\$10,000
Fireworks	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000	No Coverage		\$10,000
Trampoline / Rebounding Device	Excluded	Excluded	Argonaut Ins. Co. (A-14)	\$1,000,000	No Coverage		\$10,000
Lake Forest Dam / All Dam Failure	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000	No Coverage		\$10,000
Drone Liability and Physical Damage	\$3,127	\$8,769	Global Aerospace (A-15)	\$5,000,000	\$5,000,000	Increased from 2 drivers to 5 drivers	\$10,000
EMPLOYEE BENEFITS LIABILITY	\$3,953	\$4,498	Argonaut Ins. Co. (A-14)	\$1,000,000/\$5,000,000	\$1,000,000/\$1,000,000	Each Wrongful Act/Total Limit	5%
Terrorism							\$1,000
AUTOMOBILE LIABILITY**	\$401,714	\$324,752	Argonaut Ins. Co. (A-14)	\$1,000,000	\$1,000,000		\$25,000
Uninsured/ Underinsured Motorist			Argonaut Ins. Co. (A-14)	No Coverage	No Coverage		\$25,000
Medical Payments			Argonaut Ins. Co. (A-14)	No Coverage	No Coverage		
AUTOMOBILE PHYSICAL DAMAGE**							
Comprehensive/Collision	Included	Included	Argonaut Ins. Co. (A-14)	\$33 Units, 11 Trailers	340 Units, 13 Trailers	Agreed Amount coverage for Fire Trucks	\$5,000 / \$,000
Hired Car Physical Damage	Included	Included	Argonaut Ins. Co. (A-14)	ACV	\$50,000		\$5,000 / \$,000
Garage Keepers Liability	Included	Included	Argonaut Ins. Co. (A-14)	\$200,000	\$200,000		\$500 / \$,00
				\$33 Units, 11 Trailers	340 Units, 13 Trailers		
LAW ENFORCEMENT LIABILITY	\$420,097	\$171,932	Argonaut Ins. Co. (A-14)	\$1,000,000/\$5,000,000	\$1,000,000/\$1,000,000	Each Wrongful Act Limit/Total Limit	\$10,000
Line of Duty Death Benefit	No Coverage	Included	Argonaut Ins. Co. (A-14)	No Coverage	\$50,000 / \$100,000	# of Employees	\$25,000
# of officers				149 FT / 22 PT	149 FT / 22 PT		None
PUBLIC ENTITY MANAGEMENT LIABILITY							
EMPLOYEE PRACTICES LIABILITY	Included	\$49,842	Argonaut Ins. Co. (A-14)	\$1,000,000/\$5,000,000	\$1,000,000/\$1,000,000	Each Wrongful Act Limit/Total Limit	\$10,000
Non-Monetary Defense	Included	Included	Argonaut Ins. Co. (A-14)	\$1,000,000/\$5,000,000	\$1,000,000/\$1,000,000	Each Wrongful Offense Limit/Total Limit	\$10,000
EEOC, Hearing Defense	Included	Included	Argonaut Ins. Co. (A-14)	\$50,000	\$50,000/\$50,000	Each Wrongful Offense Limit/Total Limit	\$10,000
Backstage Coverage	Included	Included	Argonaut Ins. Co. (A-14)	\$50,000	\$10,000/\$50,000	Each Wrongful Offense Limit/Total Limit	\$10,000
Policy Form	Occurrence	Claims-Made		36MFT / 65PT	36MFT / 65PT	# of Employees	\$25,000
7/1/2022 Claims-Made Retro Date							\$10,000
EXCESS LIABILITY (General Liability Only)	\$18,327	\$40,090	Argonaut Ins. Co. (A-14)	\$4,000,000/\$4,000,000	\$4,000,000/\$4,000,000	Excludes Sexual Abuse	None
Terrorism	\$183	\$613					None
CRIME	\$646	\$2,788	Argonaut Ins. Co. (A-14)	\$500,000	\$500,000	Per Loss	\$25,000
Employee Theft	Included	Included	Argonaut Ins. Co. (A-14)	\$500,000	\$500,000	Per Employee	\$25,000
Forgery or Alteration	Included	Included	Argonaut Ins. Co. (A-14)	\$500,000	\$500,000	Per Loss	\$25,000
Inside Premises (Money & Securities)	Included	Included	Argonaut Ins. Co. (A-14)	\$500,000	\$500,000	Per Loss	\$25,000
Computer Fraud & Funds Transfer	Included	Included	Argonaut Ins. Co. (A-14)	\$500,000	\$500,000	Per Loss / Per Occurrence Limit	\$25,000
PROPERTY	\$187,092	\$224,936	Travelers	\$250,000,000	\$325,181,473	Maximum Occurrence Limit (MOL) for a single loss	\$25,000
Blanket Building	Included	Included	Travelers	\$100,000,000	\$100,000,000	See proposal for specific limits and deductibles	\$10,000
Boiler & Machinery	Included	Included	Travelers	Included	Included	Applies per Building, Contents, Outdoor Property	\$100,000
Wind & Hail Deductible	Included	Included	Travelers	\$5,000,000	\$5,000,000	Included in MOL	\$25,000
Extra Expense & Business Income	Included	Included	Travelers	\$25,000,000	\$25,000,000	See proposal for covered flood losses, Inci in MOL	\$100,000
Flood	Included	Included	Travelers	\$25,000,000	\$25,000,000	Included in MOL	\$100,000
Earthquake	Included	Included	Travelers	\$25,000,000	\$25,000,000	Included in MOL	\$25,000
Computer & EDP Equipment	Included	Included	Travelers	\$1,500,000	\$1,500,000	Included in MOL	\$25,000
Contractors Equipment - Scheduled	Included	Included	Travelers	\$2,500,000	\$2,500,000	Included in MOL	\$25,000
Emergency Equipment	Included	Included	Travelers	\$2,500,000	\$2,500,000	Included in MOL	\$25,000
Fire Arts	Included	Included	Travelers	Include Above	Include Above	Included in MOL	\$25,000
Law Enforcement Animals	Included	Included	Travelers	\$13,500 / \$67,500	\$13,500 / \$67,500	Included in MOL	\$5,000
Terrorism	Included	Included					\$5,000
CYBER LIABILITY (Claims-Made Form)	\$46,256	\$99,142	Palomar Excess and Surplus (A-18)	\$5,000,000/\$5,000,000	\$5,000,000/\$5,000,000	Privacy, Network Security or Media Wrongful Acts	\$50,000
	Included	Included	Palomar Excess and Surplus (A-18)	\$5,000,000/\$5,000,000	\$5,000,000/\$5,000,000	Breach Response Services	\$50,000
	Included	Included	Palomar Excess and Surplus (A-18)	\$250,000	\$250,000	Cyber Crime	\$50,000
SURPLUS LINES TAX AND POLICY FEES	\$1,050	\$5,058				See Proposal for all limits and terms	
Retro Date: Full Prior Acts						See Proposal for exclusions and terms	
INMATE MEDICAL COVERAGE	\$15,158	\$9,429	Serius American	\$250,000/\$1,000,000	\$250,000/\$1,000,000	Each Wrongful Act Limit/Total Limit	\$25,000
						Lesser of the Amount Paid or 100% of Medicare	\$15,000
TOTAL PREMIUM	\$2,351,237	\$1,344,528					
Percent Change	90	-0.50%					

IMPORTANT: This summary sheet is for informational purposes only and does not supersede the proposal or policy.

Mike Royal, Partners Risk Services, Consultant, stated there have not been many reductions in the municipal market. The municipal market is stressed, to say the least. The Sandy Springs reduction is a complement to the City and Staff. The Sandy Springs service was presented to multiple markets. PRS has reviewed alternatives with City Staff, reviewing options, recommendations and plans for the future.

Motion and second. A motion was made by Councilmember Jody Reichel, seconded by Councilmember Melody Kelley, to approve insurance coverage for the City and to authorize the City Manager to execute documentation effectuating the same.

Councilmember Melissa Mular asked why was the coverage for Lake Forrest Dam and the trampoline removed.

Mr. Royal replied Lake Forrest Dam will be source of contention for many markets until the issue is resolved. The litigation is not the issue. The issue is the dam and the engineering reports that proceeded the litigations. There are carriers that have an adverse loss history in similar situations with older dams needing to be rebuilt or extensive repair. When the issue is resolved, perhaps not even having the dam any more, then significant options will open. As for the trampoline, there are a lot of carriers putting exclusions for trampolines or rebounding devices, such as bouncy houses. It is suggested that the City hire subcontractors that manage and provide such equipment.

Councilmember John Paulson stated Lake Forrest Dam does not have any water. Was this considered by the insurance company?

Mr. Royal replied yes, but there is still the potential to refill the dam.

Dan Lee, City Attorney, stated it is the labeling of the structure as a Category I Dam that this the issue.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-06-75

- D. **2022-159** Request for Mayor and City Council Consideration of Acceptance of an Agreement to Purchase Permanent Easement for Construction and Maintenance on an Undeveloped Tract of Land along GA 400 in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040-0005-016-7); T-0060/PATH 400 Trail Extension Project

William H. Martin, Jr., AIA, Public Works Director, presented an agreement to purchase Permanent Easement for Construction and Maintenance of an undeveloped tract of land along GA 400 in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040-0005-016-7) for the T-0060/PATH 400 Trail Extension Project. The property owner is Destiny Development Corporation (Owner) and is an undeveloped tract of land along GA 400 in Sandy Springs, Georgia, as shown in the attached exhibits. The acquisition of 1,005.17 square feet of Permanent Easement for Construction and Maintenance on the subject property is necessary in order to construct the T-0060 /PATH 400 Trail Extension Project (Project). The Appraised Fair Market Value offer was \$2,700.00. An amicable settlement was reached at \$3,200.00 whereby the property owner submitted verified comparables to justify the \$500.00 increase above the City's appraised fair market.

Sufficient funds are available in Project T-0060 PATH 400 Trail Extension Project for this acquisition. This Project contains FHWA and GDOT funding and the City has entered into a contract with GDOT to be reimbursed for Right of Way Acquisition costs for the Project. The maximum amount of reimbursement is \$688,000.00 and this Agreement in the amount of \$3,200.00 is the second parcel acquired. Therefore, the full amount is eligible for 100% reimbursement from GDOT.

The acquisition reflects the minimum amount of right of way required in order to deliver the desired Project.

This is the first acquisition for the Path 400 Trail Extension project. Others are currently under negotiation.

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember Melissa Mular, to accept an agreement to purchase Permanent Easement for Construction and Maintenance on an undeveloped tract of land along GA 400 in Land Lot 40 of the 17th District, City of Sandy Springs (Tax ID# 17-0040-0005-016-7); T-0060/PATH 400 Trail Extension Project. The motion carried by unanimous vote.

Resolution No. 2022-06-76

- E. **2022-160** Request for Mayor and City Council to Approve Resolution Authorizing Contract Award to Blount Construction Company, Inc. for Roadway, Sidewalk, Right of Way Maintenance and Repair Services, and to Authorize the City Manager to Execute a Contract

William H. Martin, Jr., AIA, Public Works Director, presented a request to award a contract to Blount Construction Company, Inc. for Roadway, Sidewalk, Right of Way Maintenance and Repair Services. The City currently has a roadway maintenance services contract with Blount (Contract) which has been in effect since July 2017 and is set to expire June 30, 2022. In July 2021, the City Council approved a change order to add three (3) additional crew members to address sidewalk trip hazards. Based on this workload history, staff prepared a scope of work for the renewal contract that includes a base bid plus a bid alternate for the additional sidewalk repair staffing in current use. In anticipation of the Contract termination and to ensure competitive pricing, the City issued its Request for Qualified Contractors (RFQC) 22-038A on February 2, 2022. The purpose of the solicitation was to identify qualified contractors that are currently registered with Georgia Department of Transportation (GDOT) in the work classes of concrete and portland cement concrete and pavement preservation maintenance. Responding contractors were required to demonstrate responsibility by indicating resources available to the contractor and the experience of the team proposed to provide services. Blount Construction Company, Inc. ("Blount") was the only contractor that submitted a response to the RFQC, which was received by the City on February 28, 2022. Upon staff review, Blount was deemed prequalified to submit a bid in response to the City's Invitation to Bid 22-047 that was issued on March 10, 2022.

Pursuant to the terms of the solicitation, the term of the contract is for five (5) performance years, with one (1) base year and four (4) one-year renewal options contingent upon annual appropriation of funds by the City Council. The contract will terminate at the close of each fiscal year, but will automatically renew absent any positive action by the City. Bid results were:

Bidder	Base Bid	Add Alternate #1	Total
Blount Construction Company, Inc.	\$1,035,100.93	\$243,864.00	\$1,278,964.93

Upon administrative review of the bid and reference checks, staff recommends award be made to the only responsive and responsible bidder, Blount Construction Company, Inc. Emergency response services are an important aspect of this contract and are paid on an as-needed basis. Emergency service expenditure history indicates a \$100,000 contingency should be added to the contract, which would increase the overall contract amount to \$1,378,964.93.

There are adequate funds identified in the FY 2023 Public Works Contractual Services Account to award this contract.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Melody Kelley, to authorize a contract award to Blount Construction Company, Inc. for Roadway, Sidewalk, Right of Way Maintenance and Repair Services, and to authorize the City Manager to execute a contract.

Councilmember John Paulson noted there is only one bidder. What did the City pay last year?

Public Works Director Martin stated the presented award includes a 3% increase over last year's contract. Under the presented agreement, each renewal year will experience a 3% increase. The Council could seek alternate bids if it this is too high last year. Given market conditions, Staff determined it was a reasonable proposal. The previous contract did not include an annual escalator.

Councilmember Tibby DeJulio asked does this contract include gap-fill services.

Public Works Director Martin replied the presented contract includes maintenance and repair, but not new work.

Councilmember Jody Reichel noted the Brandon Mill sidewalks look beautiful.

Councilmember Melody Kelley asked what is the difference between contractual services account and sidewalk maintenance account.

Public Works Director Martin replied the Contractual Services budget line covers annual contracts for the maintenance of repair work, with some contingency funding. The funding expires each year. Capital Sidewalk budget line is an approval account that supports multiyear projects.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-06-77

- F. **2022-161** Request for Mayor and City Council to Approve Resolution Authorizing Contract Award to Blount Construction Company, Inc. for Stormwater Repair, Maintenance, and Inspection Services, and Authorizing the City Manager to Execute a Contract

William H. Martin, Jr., AIA, Public Works Director, presented a request to authorize a contract award to Blount Construction Company, Inc. for Stormwater Repair, Maintenance, and Inspection Services. The City currently has a stormwater maintenance services contract with Blount (Contract) which has been in effect since July 2018 and is set to expire June 30, 2022. In anticipation of the Contract termination and to ensure competitive pricing, the City issued its Request for Qualified Contractors (RFQC) 22-037 on February 2, 2022. The purpose of the solicitation was to identify qualified contractors that are currently registered with Georgia Department of Transportation (GDOT) in the work classes of: drainage rehabilitation, repair, replacement, and miscellaneous maintenance. Responding contractors were required to demonstrate responsibility by indicating resources available to the contractor and the experience of the team proposed to provide services. Responses from Site Engineering, Inc. (Site Engineering) and Blount Construction Company, Inc. (Blount) were received on February 25, 2022 and February 28, 2022, respectively. Both contractors were prequalified and advanced to take part in an Invitation to Bid (ITB) 22-048, issued by the City on March 10, 2022.

The ITB sought bids from the two (2) qualified contractors submitting responses to the RFQC. Blount was the only contractor that submitted a bid. Site Engineering declined to participate in the ITB process.

Bid results were:

Bidder	Bid
Blount Construction Company, Inc.	\$669,151.44

Upon administrative review of the bid and reference checks, staff recommends award be made to the only responsible and responsive bidder, Blount Construction Company, Inc. Staff also recommends an emergency service contingency for the contract that work history indicates should be funded at \$30,000.00. Therefore, staff recommends total contract award be approved in the amount of \$699,151.44. The term of contract resulting from this solicitation will be for five (5) performance years, including one (1) base year and four (4) one-year renewal options contingent upon annual appropriation of funds by the City Council. The contract will terminate at the close of each fiscal year but will automatically renew absent any positive action by the City.

There are adequate funds identified in the FY 2023 Public Works Contractual Services Account to award this contract.

Motion and second. A motion was made by Councilmember John Paulson, seconded by Councilmember Jody Reichel, to authorize a contract award to Blount Construction Company, Inc. for Stormwater Repair, Maintenance, and Inspection Services, and authorize the City Manager to execute a contract.

Councilmember John Paulson asked how does the pricing compare to previous years.

Public Works Director Martin replied the first year price is the same as the previous year, but the presented contract award does include a 2% escalator for the four renewal years.

Vote on the motion. The motion carried by unanimous vote.

Resolution 2022-06-78

- G. **2022-162** Request for Mayor and City Council Consideration of the Adoption of the City of Sandy Springs Title VI Plan

William H. Martin, Jr., AIA, Public Works Director, presented the updated Sandy Springs Title VI Plan. Title VI of the Civil Rights Act of 1964 and other certain Federal nondiscrimination statutes, regulations and orders (collectively, the "Regulations") prohibit discrimination based on race, color and national origin in the provision of benefits and services in programs and activities receiving Federal funds. The intent of the Regulations is to eliminate barriers and conditions that prevent minority, low income, Limited English Proficiency, and other disadvantaged groups and persons from receiving access, participation and benefits from federally assisted programs, services and activities. The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of the terms "programs and activities" to include all programs and activities of Federal aid recipients, subrecipients, and contractors, whether such programs and activities are federally funded or not. The Federal Highway Administration requires that all direct and primary recipients of Federal funding (in this case, the State of Georgia) document their compliance with the U.S. Department of Transportation's Title VI regulations by submitting a Title VI program. To monitor such compliance of its sub-recipients, the Georgia Department of Transportation's program requires that sub-recipient local governments serving a population of 100,000 or more develop and approve a Title VI plan as provided by the Regulations (Title VI Plan). A local government serving a population less than 100,000 may use an abbreviated Title VI

plan, a Nondiscrimination Agreement. Because its population exceeds 100,000 people, the City adopted a Title VI Plan in 2014. The purpose of bringing this to Council now is to obtain approval of updates to the City's Title VI Plan.

A Title VI Plan is a legal document that establishes a system of policies and procedures designed to monitor agency (and sub-recipient agency) compliance, address complaints, and eliminate discrimination when found to exist. The Regulations also require standardized Title VI assurances to be included by reference in every contract, grant or property regardless of its funding source. Additionally, the City's Title VI Plan reflects its individual Federal-aid transportation program structure and describes the implementation of the Title VI program. Specifically, the City's Title VI Plan is designed to monitor activities in the following areas including, but not limited to:

- Sub-recipient review procedures;
- Data collection, reporting and analysis;
- Title VI training;
- Complaint procedures;
- Dissemination of Title VI information;
- Limited English Proficiency program; and
- Environmental Justice.

Updates to the Title VI Plan recommended for Council approval include revisions to reflect the following:

- Eden E. Freeman as the new City Manager.
- Caroline Galvin, Executive Project Manager, has been designated by the City Manager as the City's new Title VI coordinator responsible for the overall management and implementation of the Title VI program, including its day-to-day administration.
- The City's current organizational structure.

The City must approve an updated Title VI Plan to remain eligible for federal funding.

Motion and second. A motion was made by Councilmember Melody Kelley, seconded by Council Member Melissa Mular, to adopt the City of Sandy Springs Title VI Plan.

Councilmember Melody Kelley asked what is the City's Limit English Proficiency program.

Public Works Director Martin advised the City's Communications Department primarily coordinates the translation services, as needed.

Dan Lee, City Attorney, stated just like the disadvantaged business enterprise requirement, the City uses the same standards as required by the Georgia Department of Transportation.

Vote on the motion. The motion carried by unanimous vote.

Resolution No. 2022-06-79

X. Reports

A. 2022-163 Mayor and Council Report

Mayor Rusty Paul reported on several things, including:

- Several members of the Sandy Springs City Council will attend the Annual Georgia Municipal Association Conference in Savannah in the upcoming week.
- Dr. Melody Kelley presented the first Juneteenth event in Sandy Springs over the past weekend, and it was very successful.
- The North Metro Mayors recently met to receive a presentation from Kimley Horn on the Transit Plan. There is a plan that has been agreed to by Dekalb, Fulton and Cobb, and Gwinnett.
- Mayor Paul recently participated on a panel of mayors at the BizNow Conference, which was attended by real estate professionals.
- National Public Radio recently interviewed Mayor Paul, who discussed why people create new cities. Oliver Porters was also interviewed.
- A special thank you to Sandy Springs Police Chief Ken DeSimone and team, who provided a training and brief overview of a simulated environment for City Council members. You can never be sure what will happen in such situations, but training and experience are the most important things that matter. The community should be encouraged that the City is as prepared as it can possibly be.

Councilmember Melody Kelley thanked City leadership for being responsive and quickly opening the cooling center at City Hall. Also, the Juneteenth event was a success. It was the first for Sandy Springs, but not the last. A reporter commented that the Sandy Springs Juneteenth event was the most diverse they had seen. Also, the event was completely community-led. Hopefully, it will become an annual event in Sandy Springs.

B. 2022-164 Staff Reports

1. 2022-165 April 2022 Unaudited Financials

Toni Carlisle, Interim Finance Director, presented the April, 2022 Unaudited Financials. The City is at 83.33% of the fiscal year and overall revenues are at 79.88%. As of April, the City exceeded 100% of the core revenue streams except LOST, which is right at 99%. Motor Vehicle, Intangibles, Real Estate Transfer Tax, and Excise Mixed Drink Tax have all exceeded 120% of budgeted projects. All licenses and permits increased 22% over last month's revenues. In terms of department expenditures, a few departments have exceeded budget in the area of dues and fees. This is attributed to the departments going back-to-business as usual, which is registering and participating in conferences, causing this line item to increase or exceed 100%. Additionally, many of the department's expenditures are beginning to trend up to cover the expected end-of-year expenditures, but remain well below the planned 83%.

XI. Executive Session

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to recess from regular order and enter executive session for the purpose of real estate discussions. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio

Nays: None

The executive session began at 7:14 p.m.

Motion and vote. A motion was made by Councilmember John Paulson, seconded by Councilmember Tibby DeJulio, to adjourn the executive session and return to regular order. The motion carried by unanimous vote.

Passed Yes 5, No 0, Abstained 0

Yeas: John Paulson, Melody Kelley, Melissa Mular, Jody Reichel, Tibby DeJulio

Nays: None

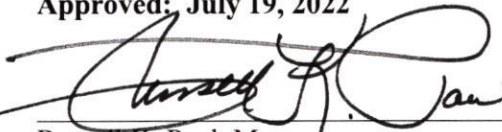
The executive session ended at 7:37 p.m.

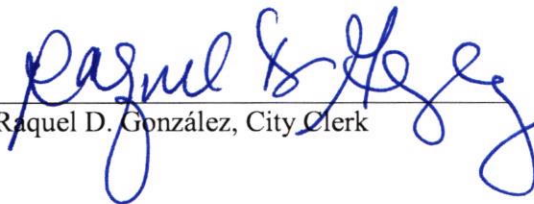
XII. Adjournment

Motion and vote. A motion was made by Councilmember Tibby DeJulio, seconded by Councilmember John Paulson, to adjourn the meeting. The motion carried by unanimous vote.

The meeting adjourned at 7:37 p.m.

Approved: July 19, 2022



Russell K. Paul, Mayor

Raquel D. González, City Clerk

